

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 16 and 18-30 are pending. Claim 17 has been canceled without prejudice or disclaimer and Claims 1-15 were previously canceled without prejudice or disclaimer. Claim 16 has been amended to essentially incorporate the subject matter of canceled Claim 17 and Claim 21 has been essentially rewritten in independent form. Accordingly, no new matter has been introduced.

The outstanding Action presented an objection to the Abstract, an objection to the specification, a rejection of Claims 16, 17, and 20 under 35 U.S.C. §102(a) as being anticipated by Randazzo et al. (U.S. Published Patent Application No. 2002/014035, Randazzo), a rejection of Claims 18, 19 and 25 under 35 U.S.C. §103(a) as being unpatentable over Randazzo, and a rejection of Claims 26-30 under 35 U.S.C. §103(a) as being unpatentable over Randazzo in view of Yoshida et al. (U.S. Published Patent Application No. 2002/0027412, Yoshida).

Initially, the indication of allowable subject matter as to Claims 21-24 is acknowledged with gratitude. Claim 21 has been essentially rewritten in independent form so that the allowance of Claims 21-24 is believed to be in order as Claims 22-24 depend on rewritten Claim 21.

The objection to the Abstract appears to have overlooked that the Preliminary Amendment filed January 20, 2006, included a new Abstract that does not include the objected to mention of Figure 1. Accordingly, withdrawal of this objection is respectfully requested.

Turning to the objection to the specification, it is respectfully submitted that the present specification amendments that add appropriate headings overcomes this objection. Accordingly, withdrawal of this objection is respectfully requested.

The rejection of Claim 17 as anticipated by Randazzo is now moot as Claim 17 has been cancelled.

Turning to the rejection of Claims 16 and 20 as being anticipated by Randazzo, it is noted that base Claim 16 now includes the subject matter of Claim 17 that expressly requires, among other things, the “means for controlling the switches to fix the frequency” to be “coupled to means for measuring an image of the current passing through the structure.” The outstanding Action has ignored that there is nothing taught or suggested by Randazzo as to this “means for measuring an image of the current passing through the structure.” Accordingly, withdrawal of the anticipation rejection of Claim 16 by Randazzo is respectfully requested.

As Claim 20 depends from Claim 16, it is respectfully submitted to patentably define over Randazzo for at least the reasons noted above as to parent Claim 16. In addition, Claim 20 is respectfully submitted to patentably define over Randazzo for the further features added by this claim that are also not taught or suggested by Randazzo. Accordingly, withdrawal of the anticipation rejection of Claim 20 by Randazzo is respectfully requested.

The rejection of Claims 18, 19, and 25 under 35 U.S.C. §103(a) over Randazzo is traversed at least because each of these claims directly depends on Claim 16 and patentably defines over this reference for the reasons noted above as to parent Claim 16. In addition, the outstanding Action has improperly applied a “design choice” rationale as to the subject matter of Claims 18, 19 and 25 that improperly ignores the advantages of this claimed subject matter set forth in the specification. Note, for example, page 4, line 32 – page 5, line 2; page 5, lines 11-14; and page 8, lines 12-14. Accordingly, the 35 U.S.C. §103 rejection of Claims

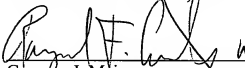
18, 19, and 25 is traversed for this improper reliance on "design choice" as well as for the reasons noted above as to parent Claim 16 and withdrawal thereof is also respectfully requested.

The rejection of Claims 26-30 as being unpatentable over Randazzo in view of Yoshida is traversed because these claims all ultimately depend from Claim 16 and Yoshida does not care the above-noted deficiencies of Randazzo. In addition, each of Claims 26-30 adds further features that are not taught or suggested by Randazzo and/or Yoshida taken along or together in any proper combination. Thus, withdrawal of the 35 U.S.C. §103 rejection applied to Claims 26-30 is also respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that no further issues remain outstanding in the present application, and that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Raymond F. Cardillo, Jr.
Registration No. 40,440